

CITY OF GUNNISON, COLORADO
CITY COUNCIL

**IN THE MATTER OF THE APPLICATION)
FOR A RETAIL MARIJUANA STORE LICENSE)
FOR PURE INDUSTRIES, LLC) FINDINGS AND DECISION
dba SOMA WELLNESS)
500 W. HWY 50, Unit #101, GUNNISON, CO 81230)**

TO THE APPLICANT ABOVE-NAMED AND ALL OTHER INTERESTED PARTIES:

Pursuant to 8.50.040 of the Gunnison Municipal Code and Title 12-Article 43.4 C.R.S., you are hereby advised based upon the application for a Retail Marijuana Store License, the investigation conducted by the City of Gunnison, as the local Marijuana Licensing authority, and the evidence submitted at the public hearing, the application of Pure Industries LLC, dba SOMA Wellness, 500 W. Hwy 50 Unit #101, Gunnison, Colorado, for a Retail Marijuana Store License, is approved for the following reasons and with the following findings and conditions:

FINDINGS:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishment.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are the following existing other outlets:

- 0 – Medical Marijuana Center
 - 0 – Optional Premises Cultivation Operation
 - 0 – Medical Marijuana-Infused Products Manufacturing
 - 0 – Retail Marijuana Store
 - 0 – Retail Marijuana Cultivation Facility
 - 0 – Retail Marijuana-Infused Product Manufacturing Facility
 - 0 – Retail Marijuana Testing Facility
- (6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.
- (7) All fees necessary for the application have been paid.
- (8) A Conditional Colorado State Retail Marijuana Store License has been issued.

CONDITIONS:

- (1) Marijuana establishment signage shall include only the registered business or trade name, address and telephone number of the marijuana establishment.
- (2) Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code*.
- (3) Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
- (4) Hours of Operation of the retail marijuana store establishment shall be anytime between 8 a.m. and 10 p.m. Monday through Saturday, and limited to the hours of 1 p.m. to 6 p.m. on Sunday.
- (5) The licensed marijuana establishment is subject to inspections by the Community Development Director or designee. Inspections may include review of operations and maintenance records.
- (6) The Retail Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
- (7) Off-premises retail marijuana establishment storage facilities are prohibited.
- (8) The Building Official and Fire Marshal shall conduct a site visit and verify the revised floor plan.
- (9) The Restricted Area occupant load is set at 1 person/60 SF. The Limited Area occupant load is set at 1 person/300 SF. The licensed premises shall be signed with the maximum allowed occupant load.
- (10) A minimum of four parking spaces which are depicted on the *Condominium Plat of the West Gunnison Business Plaza Condominiums* shall be dedicated for the exclusive use of the licensed premises.

Dated this 13th day of October, 2015

MARIJUANA LICENSING AUTHORITY
CITY OF GUNNISON

Gail A. Davidson, City Clerk
City of Gunnison
201 W. Virginia Avenue
Gunnison, CO 81230

CERTIFICATE OF DELIVERY

I hereby certify that I have mailed via USPS certified mail, the foregoing "**FINDINGS & DECISION**" on _____, 2015, to the following address:

Gail A. Davidson, City Clerk

MOTION

I move that the Retail Marijuana Store License for Pure Industries LLC, dba SOMA Wellness, 500 W. Hwy 50, Unit #101, Gunnison, Colorado, 81230, be approved for the following reasons and with the following conditions:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishment.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
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